

REMARKS

No claims have been amended, and no claims have been canceled in this paper. Claims 40, 42 - 45, 47 - 50, and 52 - 53 are pending in this application.

The examiner rejected claims 40, 42-45, 47-50, 52 and 53 under 35 U.S.C. § 103(a) over U.S. Patent No. 5,666,968 (Imran et al.) in view of Thorud et al. (6,193,760). This rejection is respectfully traversed.

The present invention in a preferred embodiment is directed to a guide wire having two sections thereof welded together without use of a filler material in the weld joint and without use of a sleeve supporting the joint. According to the examiner, Imran and specifically FIG. 3 of Imran disclose a guide wire where the weld joint is not covered by a sleeve. The examiner agrees that Imran fails to disclose that the weld does not include filler material.

The examiner further notes that col. 3, ll. 55-59 of Imran teaches a “butt joint” which implicitly teaches a spot weld. Applicant presumes the examiner has identified and is relying on this teaching as the motivation to combine Thorud with Imran.

According to the examiner, Thorud teaches “that a spot weld can be used to weld guidewire sections together.”

First, applicant respectfully disagrees with the examiner’s statement that Thorud teaches “that a spot weld can be used to weld guidewire sections together.” Close inspection of FIG. 4 of Thorud reveals that *the resistance or spot weld 32 is between a section of the guide wire shaft 24 and the sleeve 30, not between a section of the guide wire shaft 24 and another section of the guide wire shaft 15*. Indeed, col. 10, ll. 9-10 of Thorud explains that “Hollow tubular body 30 is attached to shaft 24 at resistance weld or spot weld 32.” Therefore, Thorud gives no indication or suggestion of how to spot weld or resistance weld one section of a guide wire shaft to another section of the guide wire shaft.

Second, Thorud is directed to a snap fit between two shaft sections of a guide wire by use of a snap fit between male and female connectors in a process called “docking.” (See, e.g., Thorud, col. 5, ll. 6-12; col. 8, ll. 29-31.) There is no interest to permanently weld one section of the guide wire shaft to another.

Third, the examiner relies on the teaching of a “butt joint” in Imran. According to Wikipedia (www.en.wikipedia.org/wiki/Welding_Joints) under the topic welding joints, a “Butt joint is considered two pieces of metal welded together at their ends. The word butt refers to the ‘end’ of the piece of metal” Therefore, the expression “butt joint” does not suggest or imply a spot or resistance type weld.

Consequently, the examiner’s reliance on “butt joint” as the motivation is invalid. Imran contains no teaching, suggestion, or motivation to replace or modify the FIG. 3, no-sleeve, filler weld joint with a spot or resistance weld of Thorud. The only motivation for combining Thorud with Imran came from applicant’s own disclosure, which is impermissible use of hindsight.

Conversely, if Thorud is used as the primary reference, it is directed to a snap fit between two sections of a guide wire to dock one to the other. Imran in FIG. 3 teaches omitting the joint sleeve and welding one shaft section to another. Because of its snap-fit docking objective, there is no motivation in Thorud to weld one guide wire shaft section to another section. Again, there is no motivation to combine the two references except from impermissible hindsight of applicant’s disclosure.

Finally, even if Imran and Thorud were properly combinable, the combination still does not teach the claimed invention. Specifically, since Thorud teaches spot welding the sleeve to the shaft (not welding one shaft section to another shaft section), it would be FIG. 2 of Imran that is modified, not FIG. 3. If the sleeve in FIG. 2 in Imran were modified by spot welding, it still would not teach the claimed invention since there is a sleeve covering the joint.

In view of all of the above reasons, applicant respectfully contends that the examiner has not established *prima facie* obviousness. This rejection should be withdrawn.

In view of the foregoing, applicant respectfully submits that all claims are now in condition for allowance. Reexamination and reconsideration of the application are respectfully requested and allowance at an early date is solicited. The Commissioner is authorized to charge Deposit Account number 06-2425 for any unforeseen additional fees arising from the filing of this paper.

Respectfully submitted,
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